

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

NANCY GONZALES,

Plaintiff,

vs.

Civ. No. 02-463 BB/WWD

CHIEF FRANK GALLEGOS, INDIVIDUALLY and
IN HIS CAPACITY AS CHIEF OF THE VILLAGE
OF QUESTA POLICE DEPARTMENT, and
VILLAGE OF QUESTA,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendants' Motion for Protective Order and for Stay of Discovery [docket no. 25] and Second Motion for Protective Order [docket no. 28]. Defendants seek a stay of discovery for the reason that there is pending a motion for summary judgment raising issues of absolute and qualified immunity. I find that the motions are well taken and that they should be granted. The motion for summary judgment should be decided in time to allow for adequate discovery before the trial date which is well into next year.

WHEREFORE,

IT IS ORDERED that Defendants' Motion for Protective Order and for Stay of Discovery [docket no. 25] and Second Motion for Protective Order [docket no. 28] be, and they are hereby, GRANTED.

IT IS FURTHER ORDERED that discovery in this cause be deferred until the pending motion for summary judgment has been ruled on.


UNITED STATES MAGISTRATE JUDGE